

FREQUENTLY ASKED QUESTIONS (FAQs)

What is UI?

UI, also known as unemployment insurance, is designed to provide partial wage replacement on a temporary basis to workers involuntarily unemployed through no fault of their own. As stated in K.S.A. 44-702, “Economic insecurity, due to unemployment, is a serious menace to health, morals, and welfare of the people of this state. Involuntary unemployment is therefore a subject of general interest and concern which requires appropriate action by the legislature to prevent its spread and to lighten its burden which now so often falls with crushing force upon the unemployed worker and his family.”

What is the difference between a “new” and “initial” claim?

A new claim is the first claim which establishes a benefit year and through which a claimant requests a determination of entitlement to and eligibility for compensation. An initial claim can be a new, additional or reopened claim.

How do I file for unemployment insurance benefits?

An initial unemployment claim may be filed by phone or via the Internet. A claimant may call 785-575-1460 or 800-292-6333 or may access the UI Benefits Web site at the following address: <https://www.uibenefits.dol.ks.gov/>. This Web site will ask the necessary questions and begin the unemployment insurance filing process.

If I lose my job in Kansas and move to another state, may I file for unemployment insurance?

Yes. Whether you reside in or outside of Kansas, you may file a claim by phone or the Internet.

Are there other unemployment benefit programs available in Kansas?

Yes. The Kansas Department of Labor administers the Disaster Unemployment Assistance (DUA) program, the Extended Benefit (EB) program, the Shared Work program and the Trade Readjustment Allowance (TRA) program for the state. The Kansas Department of Commerce administers the Trade Adjustment Assistance (TAA) program.

The DUA program provides monetary assistance to individuals unemployed as a direct result of a major disaster and who are not eligible for regular Unemployment Compensation (UC) benefits. DUA is funded through the Federal Emergency Management Agency (FEMA).

The EB program is available to workers who have exhausted regular unemployment insurance benefits during periods of high unemployment. The basic Extended Benefits program provides up to 13 additional weeks of benefits when a State is experiencing high unemployment. Extended Benefits may start after an individual exhausts other unemployment insurance benefits (not including Disaster Unemployment Assistance or Trade Readjustment Allowances). Not everyone who qualifies for regular benefits qualifies for Extended Benefits.

The Shared Work program was designed to reduce unemployment and stabilize the work force by allowing certain employees to collect unemployment insurance benefits. If the employer participates in a shared work plan and if the employees share the work remaining after a reduction in the total number of hours of work and a corresponding reduction in wages, those employees may receive shared work unemployment benefits. An employer who wishes to participate in a Shared Work plan must submit a written shared work plan to the secretary of the agency.

The Trade Readjustment Allowance program provides income support to persons who have exhausted unemployment compensation and whose jobs were affected by foreign imports. The Federal Trade Act provides special benefits under the Trade Adjustment Assistance (TAA) program to those who were laid off or had hours reduced because their employer was adversely affected by increased imports from other countries. These benefits include paid training for a new job, and financial help in making a job search in other areas or relocation to an area where jobs are more plentiful. Those who qualify may be entitled to weekly TRA after their unemployment compensation is exhausted.

Does an employee pay unemployment insurance taxes?

Employees *do not* pay unemployment insurance taxes. By federal and state law, employers are responsible for paying unemployment insurance taxes. This is an employer-paid benefit to its employees.

What employers are subject to the provisions of the Employment Security Law?

All employing units doing business in Kansas are subject to the provisions of the Employment Security Law. However, not all employers are subject to the taxing provisions of the law. Coverage is determined by the type and nature of the business, the number of workers employed and the amount of wages paid for services in employment.

What is a “NAICS” code?

The NAICS code is an industry code which is assigned to an employer based upon that employer’s business activity. NAICS (North American Industry Classification System) was developed jointly by the U.S., Canada, and Mexico to provide new comparability in statistics about business activity across North America. As well as being used for statistical purposes, it is also used to determine the unemployment tax rate for newly liable contributing employers.

How does an employer’s NAICS code affect an employer’s tax rate?

An employer’s NAICS code is only used in the assignment of a tax rate if the employer is classified as a new (or newly liable) contributing employer. If an employer is classified as “new” and is engaged in the Construction industry (thereby having been assigned a NAICS code within the “Construction” sector), that employer is assigned a 6 percent unemployment tax rate. All other new employers are assigned a 4 percent unemployment tax rate. This industry-based rate is assigned each calendar year. In the January following the calendar year in which the employer

is no longer classified as a “newly liable” employer (when they have had at least 24 consecutive calendar months during which their account could have been charged benefits prior to the computation date), the employer will be assigned a tax rate based upon their experience with unemployment.

How can I become a “positive balance employer” rather than be a “negative balance employer?”

Employers may make a voluntary contribution in the amount of their negative balance to lower their rate to rate group 51 of eligible positive balanced employers. They may make additional contributions to further lower their rate to that of rate groups 50 through 47. The contributions required for various rate reduction options are provided on an employer’s annual Experience Rating Notice.

Another more traditional method may be to manage the company’s experience with unemployment. This can be done through being aware of the effect layoffs and/or terminations can have on the company’s unemployment insurance account and tax rate. When necessary, faithfully answer all notices that are sent advising of any claim made by former employees.